

Appln. No. 09/811,724
Response dated February 7, 2006
Reply to Office Action of October 11, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application is respectfully requested.

The June 6, 2005 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled and amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance.

Inasmuch as the present Amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 are respectfully requested.

INTERVIEW

The courtesy of Examiner Boutah in granting an interview in connection with this application is acknowledged and appreciated. The interview took place on February 2, 2006. Present at the interview were Examiner Boutah and Applicants' attorney, Robert Michal. During the interview Applicants' attorney requested clarification of the status of the claims in view of the last Office Action. Specifically, Applicants' attorney pointed out

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that there were inconsistencies in the last Office Action with regard to which claims were allowed, allowable and rejected. During the interview, Examiner Boutah explained the status of the claims. That is, claims 1-3, 7-11, 15 and 18 are rejected under 35 USC 103. Claims 4 and 5 are rejected under 35 USC 112 but would be allowable if amended to overcome the rejection under 35 USC 112. Claim 6 would be allowed if a proper amendment to overcome the rejection under 35 USC 112 is made to claim 5. Claims 12-14, 16, 17, 19 and 20 are allowed.

ALLOWABLE SUBJECT MATTER

The Examiner's indication of the allowable claims is acknowledged and appreciated.

REJECTION UNDER 35 USC 112

In the Office Action claims 4 and 5 are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response, claims 4 and 5 are amended in a sincere effort to overcome the rejection under the second paragraph of 35 USC 112. In view of the

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amendment of claims 4 and 5, reconsideration and withdrawal of the rejection of claims 4 and 5 are respectfully requested.

PRIOR ART REJECTIONS

In the Office Action claim 1-3, 7-11, 14 and 18 are rejected under 35 USC 103(a) as being unpatentable over USP 6,334,109 (Kanevsky et al.) in view of USP 6,351,745 (Itakura et al.). Claim 15 is rejected under 35 USC 103 as being unpatentable over Kanevsky et al.

It is respectfully pointed out that the Examiner's rejection of claims 1-3 is improper. Claim 2 was previously cancelled. Therefore, the rejection should have been to claims 1, 3, 7-11, 15 and 18. In response to the prior art rejection, claims 1, 3, 7-11, 15 and 18 are cancelled. In addition, non-elected claim 21 is also cancelled.

In view of the foregoing amendments, the passing of this application to allowance with claims 4-6, 12-14, 16, 17, 19 and 20 is respectfully requested.

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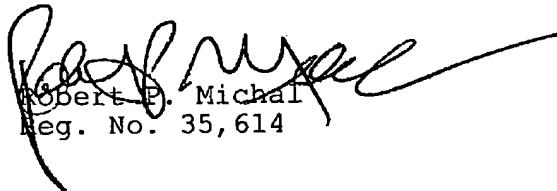
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Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


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Encl.: Petition for Extension of Time